

AMENDED IN SENATE FEBRUARY 24, 2010

AMENDED IN ASSEMBLY JANUARY 4, 2010

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1532**

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**Introduced by Assembly Member Lieu**

February 27, 2009

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An act to add Chapter 4.2 (commencing with Section 829.5) to Title 3 of Part 2 of the Penal Code, relating to code enforcement officers, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1532, as amended, Lieu. Code enforcement officers.

Existing law defines the term "code enforcement officer" for purposes of determining the punishment for an assault or battery committed against a code enforcement officer as a person who is not a peace officer, has enforcement authority ~~in specified areas for health, safety, and welfare requirements~~, and is authorized to issue citations or file formal complaints, *as specified*.

This bill would define the term "code enforcement officer" in the Penal Code as described above without limiting the definition to the context of assault and battery committed against a code enforcement officer.

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 4.2 (commencing with Section 829.5)  
2 is added to Title 3 of Part 2 of the Penal Code, to read:

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CHAPTER 4.2. CODE ENFORCEMENT OFFICERS

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829.5. (a) “Code enforcement officer” means any person who is not described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 and who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements, and whose duties include enforcement of any statute, rules, regulations, or standards, and who is authorized to issue citations, or file formal complaints.

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(b) “Code enforcement officer” also includes any person who is employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act (Part 1 (commencing with Section 17000) of Division 13 of the Health and Safety Code); the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code); the Mobilehomes-Manufactured Housing Act (Part 2 (commencing with Section 18000) of Division 13 of the Health and Safety Code); the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code); and the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

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*SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:  
In order to provide a free-standing definition of “code enforcement officer” for purposes of obtaining federal funding for*

- 1 *code enforcement purposes, it is necessary that this act take effect*
- 2 *immediately.*

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